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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

In re D.E., a Person Coming Under the  
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

D.E.,

Defendant and Appellant.

A126007

(San Mateo County  
Super. Ct. No. 79398)

Defendant, 16-year-old D.E., appeals from a dispositional order declaring him a ward of the court and placing him on home probation after he was found by the juvenile court to have conspired to commit theft (Pen. Code, § 182) and stolen a motorcycle (Veh. Code, § 10851, subd. (a)). Defendant's counsel has filed an opening brief that raises no issues and asks this court for an independent review of the record to determine whether there are any arguable issues. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was notified of his right to file a supplemental brief, but has not done so. We find no arguable issues and affirm.

**I.**

J.V. testified at the jurisdictional hearing that defendant asked him for help in stealing a motorcycle they had seen at the Honda Suzuki dealership in San Mateo. They went to the dealership around 10:30 p.m. on February 28, 2009, and defendant climbed

the fence to the yard where the motorcycle was stored. Defendant took the motorcycle, and hoisted it over the fence to J.V., who tried to grab it, but it fell to the ground. They hid the motorcycle in nearby bushes, and along with S.T. retrieved it there the next day. Defendant, J.V., and S.T. rode on the motorcycle before it was recovered some days later.

Belmont Police Officer Bret Mueller supervised and recorded a phone call from S.T. to defendant, in which defendant admitted that he and J.V. stole the motorcycle.

The owner of the dealership testified that the motorcycle was too damaged to be sold when it was returned, and that he paid Honda \$1,237 for the cost of it. Defendant was made jointly and severally liable with J.V. and S.T. for restitution of that amount.

## **II.**

We have reviewed the record and find no arguable issues. Defendant was represented by counsel, the contested jurisdictional hearing was fair, and the disposition was reasonable. We discern no errors in the proceedings.

## **III.**

The dispositional order is affirmed.

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Marchiano, P.J.

We concur:

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Margulies, J.

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Dondero, J.